

REMARKS

In the Office Action dated November 11, 2004, the Examiner objected to claims 12-15 because of certain informalities. Claims 6, 11 and 12 were rejected under 35 U.S.C. § 102(e) as being anticipated by US Application Serial No. 2003/0026359A1 to Loeliger et al. The Examiner also rejected claim 10 under 35 U.S.C. § 103(a) as being unpatentable over Loeliger in view of United States Patent No. 6,327,316 to Ikeda. Claim 14 was also rejected under Section 103(a) as being unpatentable over Loeliger. Applicants note that claims 1-5 are allowed and that claims 7-9, 13 and 15 contain allowable subject matter.

Applicants have amended claims 6, 11, and 14-15 and canceled claims 8, 12 and 13 to overcome the objections and rejections. Claims 1-7, 9-11 and 14-15 are currently pending. Based on the above amendments and these remarks, reconsideration is respectfully considered.

In the Office Action, claims 12-15 were objected to for certain informalities. Applicants with canceled claims 12 and 13 and have amended claims 14 and 15 in accordance with the Examiners helpful suggestions. In light of these amendments, Applicants respectfully submit that claims and 14-15 are in proper form for allowance.

The Examiner rejected claims 6, 11 and 12 as being anticipated by Loeglier under Section 102(e). Applicants has amended claims 6 and 11 and canceled claim 12 to overcome the anticipation rejection. In particular, claims 6 and 11 have been amended to incorporate the allowable subject matter in claims 7 and 13, respectively. Thus, claims 6 and 11 indicate that the first plurality of symbols are encoded using a first encoded rate and that the second plurality of symbols are encoded using a second encoded rate. In light of the amendment, applicants respectfully request that the rejection under Section 102(e) to claims 6 and 11 be withdrawn.

In the Office Action, claim 10 was rejected under Section 103(a) as being unpatentable over Loeliger in view of Ikeda. Claim 10 depends upon amended claim 6,

which contains the allowable subject matter of canceled claim 8. In light of the amendment, applicants respectfully request that the rejection under Section 103(a) to claim 10 be withdrawn.

Claim 14 stands rejected under Section 103(a) as being unpatentable over Loeglier. Claim 14 depends on amended claim 11, which applicants amended to incorporate the allowable subject matter of claim 13. Based on the this amendment, it is respectfully submitted that Loeglier does not teach or suggest the subject matter in claim 14, and applicants respectfully request that the rejection under Section 103(a) to claim 14 be withdrawn.

Applicants note that the Office Action Summary is responsive to the communication filed on 8 March 2001, the filing date of the application. On 8 March 2002, the first anniversary of the filing date, applicants filed a preliminary amendment amending the specification. It is not known if the Examiner has entered the Preliminary Amendment, and a copy is enclosed with this response for convenience.

In corresponding applications that claim priority on the present application, additional references were disclosed. Applicants file with this response a supplemental Information Disclosure Statement Form 1449 to disclose these references. Reconsideration of the present application is respectfully requested.

As the applicants have overcome all substantive rejections and objections given by the Examiner and have complied with all requests properly presented by the Examiner, the applicants contend that this Amendment, with the above discussion, overcomes the Examiner's objections to and rejections of the pending claims. Therefore, the applicants respectfully solicit allowance of the application. If the Examiner is of the opinion that any issues regarding the status of the claims remain after this response, the

Examiner is invited to contact the undersigned representative to expedite resolution of the matter.

Respectfully submitted,
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